

**INSTRUCTIONS
for obtaining a**

**PERMIT-BY-NOTIFICATION
FOR
SMALL FOOD WASTE COMPOSTING FACILITY**

**pursuant to
RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Sw 311 & Env-Sw 607.02**

Read these instructions before completing the attached form. For additional assistance, contact the New Hampshire Department of Environmental Services (DES), Permitting & Design Review Section (P&DRS) at (603) 271-2925 or the below noted mailing address or TDD Access: Relay NH 1-800-735-2964.

Note: All references on this form beginning with "Env-Sw" are citations from the New Hampshire Solid Waste Rules. To obtain a copy of the Rules, contact the DES Public Information & Permitting Office at (603) 271-2975 or the above noted TDD Access. The Rules are also available on the Internet at: <http://www.des.nh.gov>.

Complete the attached form to obtain a "permit-by-notification" to compost certain types of vegetable and bakery food waste, with yard waste, animal manure, farming crop residuals, sludge, and/or approved bulking agents. See Env-Sw 607.02 for details, including applicable siting, operation and closure requirements/restrictions.

All requested information must be provided as indicated on the attached form. Do **NOT** skip any question, unless instructed to do so. Do **NOT** mark any question "not applicable." If you need more space than provided on the form to answer a particular question and are using a paper copy of this form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached.

Submit **FOUR** copies of the completed form, **EACH bearing ORIGINAL signatures**, to the following address:

**NH Department of Environmental Services (DES)
Waste Management Division (WMD)
Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095**

Include postage paid legal sized envelopes addressed, in type written or handwritten block letters, to yourself (i.e., the property owner/applicant), the host municipality, and the host solid waste management district. If you require assistance in determining the latter, contact the host town/city offices or the P&DRS at (603) 271-2925.

A permit-by-notification can only be issued based on complete and accurate information. Therefore, failure to follow these instructions as specified shall result in **DENIAL** of the requested permit.

Following receipt of an application for a permit-by-notification, DES will determine whether all information is provided as specified. Response will be made by returning a copy of the completed form, marked either "granted" or "denied." If marked "granted," a permit number will be assigned and the completed form, bearing the Director's signature and DES dated receipt stamp, will serve as the facility permit. If marked "denied," the deficiencies will be noted on the form. A copy of the processed form will also be sent to the host municipality and host solid waste management district, for their information and use.



Waste Management Division

For Office Use Only:	
WMD Log #:	_____
Date Rec'd.:	_____
No. of Copies:	_____

PERMIT-BY-NOTIFICATION FOR SMALL FOOD WASTE COMPOSTING FACILITY

pursuant to
RSA 149-M and New Hampshire Solid Waste Administrative Rules Env-Sw 311 & Env-Sw 607.02

FOR DES OFFICE USE ONLY Do NOT WRITE IN THIS SHADED BOX

☐ **The requested permit is hereby granted and assigned permit number DES-SW-PN-_____ - _____.**

This completed form, bearing a DES dated receipt stamp and signature, shall serve as the permit for this facility. The approval applies only to constructing and operating the facility as described herein on this completed form, subject to all applicable statutes and rules, including RSA 149-M and the New Hampshire Solid Waste Rules, as amended. This permit shall expire one year from the date of signature, below, if facility construction has not commenced. This permit is non-transferable. Issuance of this permit is based solely on representations by the applicant/permittee. No liability is incurred by the state of New Hampshire by reason of this approval. This approval shall not affect the permittee's obligation to obtain all requisite federal, state, district or local approvals and to comply with all other applicable statutes and rules.

Michael J. Wimsatt, P.G., Director, WMD

Date

☐ **The requested permit is hereby denied due to:**

- ☐ incomplete, conflicting or ambiguous information, as indicated by highlighting
- ☐ insufficient copies
- ☐ no signature or failure to provide original signatures on all copies filed
- ☐ other (specify): _____

Denial shall not preclude the applicant from later obtaining a permit by submitting a new application that corrects the above noted deficiency(s). Questions may be directed to the person whose business card is stapled to this form. Rights of appeal exist pursuant to RSA 21-O:9,V.

Michael J. Wimsatt, P.G., Director, WMD

Date

SECTION I. FACILITY IDENTIFICATION

The information provided below shall constitute the approved facility location, if a permit is issued based on this application.

(1)	Facility status (Check which ONE of the following applies):	
	<input type="checkbox"/>	Proposed Facility (not yet constructed or operating)
	<input type="checkbox"/>	Existing Facility with prior authorization to operate, as follows:
	<input type="checkbox"/>	Temporary Permit #DES-SW-TP- _____ - (fill in permit #)
	<input type="checkbox"/>	Permit-by-rule pursuant to waiver #DES-SW-WV- _____ - (fill in waiver #)
<input type="checkbox"/>	Existing Facility without prior authorization to operate (i.e., "unauthorized facility"), as follows:	
	<input type="checkbox"/>	The facility has been issued a DES order or other written directive to apply for this permit. (Attach a copy of the DES document that specifically instructs you to file this application).
<p>Note: An unauthorized facility must comply with all requirements applicable to a PROPOSED facility. Complete the remainder of this form on that basis.</p>		

	<input type="checkbox"/>	The facility has not been issued a DES order or other written directive to apply for this permit. (If you check this one, DO NOT CONTINUE. A permit-by-notification can only be issued to a facility that is one of the above. Contact the DES Solid Waste Compliance Section at (603) 271-2925 for further assistance).
(2)	Facility name:	
(3)	Location, by street address and municipality:	
(4)	Mailing address:	
(5)	Local tax map and lot numbers:	
(6)	Deed reference by county, volume and page numbers:	
(7)	Latitude and longitude of a known fixed point on the site:	
(8)	Written directions from a known point of reference in the vicinity of the facility site:	
(9)	Plot the facility site on a United States Geological Survey (USGS) topographic map, or copy thereof, prepared at a scale of 1:24,000 or 1:25,000. Mark and submit as "Attachment I(9)."	

SECTION II. FACILITY OWNER/OPERATOR IDENTIFICATION

If a permit is issued, the information provided below shall constitute the identity of the permittee. The permittee and the facility owner shall be one in the same. Further, the permittee/facility owner shall be in responsible charge of facility operations, closure and post closure monitoring and maintenance.

(1)	Applicant/owner/operator name:		
(2)	Applicant/owner/operator mailing address:		
(3)	Applicant/owner/operator telephone number:		
(4)	If different than above, identify the individual associated with and designated by the applicant/owner/operator to be the contact individual for matters concerning this facility:		
	(a)	Name:	(b) Title:
	(c)	Mailing address:	
	(d)	Telephone number:	
(5)	If the facility owner/operator is an individual, provide date of birth and go to Section III:		
(6)	If the facility owner/operator is a corporation, partnership or other association, provide all of the following information as specified:		
	(a)	The facility is owned by a: <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> other association	
	(b)	State of incorporation/formation:	
	(c)	Principal business address:	
	(d)	Provide, on separate paper and attach/mark as "Attachment II(6)(d)", the names and addresses of all directors, officers and shareholders (*), if for a corporation; all partners (whether general or limited), if for a partnership; or all principals, members or participants, if for another type of association.	
		(*) For a privately held corporation, identify all shareholders. For a publicly traded corporation, identify all shareholders owning 10% or more of the corporation's equity or debt.	

SECTION III. FACILITY LIFE

Identify, by answering questions (1)-(3) below, the anticipated life expectancy of the facility. A permit-by-notification is issued for one of two operating scenarios: either for operating 90 days or less or operating longer than 90 days. If operated longer than 90 days, the facility must meet certain long-term operating obligations, as specified in Env-Sw 1100, including operator certification requirements pursuant to Env-Sw 1600 and annual reporting requirements.

For a facility having an active life of 90 days or less, the dates provided below shall constitute the approved active life of the facility, if a permit is issued (i.e., the facility shall not be authorized to operate outside these dates).

For a facility having an active life longer than 90 days, the future dates specified below shall be target dates only. The actual dates for commencing construction, operation and closure shall be provided by the permittee (following permit issuance) by filing a "Notice of Intent to Construct" pursuant to Env-Sw 1104, a "Notice of Intent to Operate" pursuant to Env-Sw 1105, and a "Notice of Intent to Close" pursuant to Env-Sw 1106. "Notice of Intent" forms may be obtained from the P&DRS at (603) 271-2925.

(1)	For a proposed facility, date facility construction is scheduled to commence:	OR
	For an existing facility, date facility construction first commenced:	
(2)	For a proposed facility, date facility operations are scheduled to commence:	OR
	For an existing facility, date facility operations first commenced:	
(3)	Total life expectancy of facility (check one only):	
	<input type="checkbox"/>	90 days or less (specify date by which the facility shall cease receiving waste):
	<input type="checkbox"/>	Longer than 90 days (answer (a) or (b) as applicable):
	<input type="checkbox"/>	If date of facility closure is known, so indicate: OR
	<input type="checkbox"/>	If date of facility closure is unknown, specify total years the facility will most likely operate: years

SECTION IV. TYPES OF WASTE

Complete this section to describe facility operations.

(1)	Identify the type(s) of food waste composted at this facility (no other types are allowed by this permit):			
	<input type="checkbox"/>	Vegetable matter from retail food outlets, including produce		
	<input type="checkbox"/>	Bakery wastes from retail food outlets		
	<input type="checkbox"/>	Food preparation waste from commercial and institutional kitchens, limited to vegetable matter, edible vegetable oils, and bakery wastes		
<input type="checkbox"/>	Vegetable wastes byproducts from food processing operations, including canning and freezing operations			
(2)	Identify the type(s) of non-food waste composted at this facility (no other types are allowed by this permit):			
	<input type="checkbox"/>	Yard waste		
	<input type="checkbox"/>	Animal manure		
	<input type="checkbox"/>	Farming crop residuals		
	<input type="checkbox"/>	Sludge, as defined by RSA 485-A:2,XI-a (specify source): (Note: If the facility manages sludge, it must hold a valid permit pursuant to Env-Ws 800. Enter permit #: _____ and date issued: _____)		
<input type="checkbox"/>	Approved bulking agent (specify type):			
(3)	The following types of waste shall NOT be accepted by this facility. Check here <input type="checkbox"/> to indicate you understand these limitations.			
	(a)	Dairy products and their derivatives	(b)	Meat
	(c)	Non-food matter, other than what is listed in (2) above, for example, plastic/paper bags or wrappings, plastic/paper ties, or string	(d)	Meat byproducts

SECTION V. FACILITY CAPACITY

The information provided by answering questions (1)-(2) below shall constitute the approved facility capacity if a permit is issued.

(1)	Average quantity of waste this facility is designed to receive daily: _____ tons per day (Not to exceed 30 TPD, averaged over active life of facility and on average annually)
(2)	Ratio of food waste to entire compost mixture: _____ % (not to exceed 20%)

SECTION VI. NOTICE OF OTHER WASTE MANAGEMENT ACTIVITIES AT SITE

Pursuant to Env-Sw 1105.07(d) and (f), identify whether any of the below listed waste management activities will also exist at this site. Be certain to show each of these activities on the site plans prepared pursuant to Section VIII of this form and be certain the activities do not adversely affect the ability to properly operate the subject facility in accordance with the requirements of the permit. If no other waste management activities are or will be taking place at this site, check here ☐ and go to Section VII.

(1)	ACTIVITIES INVOLVING WASTES THAT ARE NOT REGULATED AS SOLID WASTE (Ref. Env-Sw 101.03):					
	<input type="checkbox"/>	Management of yard waste (leaves, grass clippings, garden debris, and small or chipped branches)				
	<input type="checkbox"/>	Burial of stumps at the waste generation site, which have been cut or uprooted from the site, at least 75 feet from any drinking water supply				
	<input type="checkbox"/>	Operation of a "swap shop," collecting and distributing salvaged materials/items for reuse in-kind, pursuant to Env-Sw 1500, including:				
	<input type="checkbox"/>	Collection and distribution of non-hazardous paint for use as paint				
	<input type="checkbox"/>	Collection and distribution of other used furniture, equipment, clothing, etc. for reuse in-kind				
	<input type="checkbox"/>	Other (specify):				
	<input type="checkbox"/>	Management of septage, as defined in RSA 485-A:2,IX-a, by a method not involving disposal with a solid waste				
	<input type="checkbox"/>	Management of sludge as defined in RSA 485-A:2,XI-a, by a method not involving disposal with a solid waste				
	<input type="checkbox"/>	Management of hazardous waste, as defined in RSA 147-A:2, as follows:				
	<input type="checkbox"/>	Collection of used oil for recycling				
	<input type="checkbox"/>	Collection of household hazardous waste				
	<input type="checkbox"/>	Collection of universal waste, as follows:				
	<input type="checkbox"/>	Batteries	<input type="checkbox"/>	Antifreeze	<input type="checkbox"/>	Mercury containing lamps
	<input type="checkbox"/>	Pesticides	<input type="checkbox"/>	Thermostats	<input type="checkbox"/>	Mercury containing devices
	<input type="checkbox"/>	Other (specify):				
	<input type="checkbox"/>	Operation of a permitted hazardous waste transfer facility (Provide permit #):				
	<input type="checkbox"/>	Operation of a permitted hazardous waste treatment, storage or disposal (TSD) facility (Provide permit #):				
	<input type="checkbox"/>	Other (specify):				
	<input type="checkbox"/>	Management of solid or dissolved materials in irrigation return flows				
	<input type="checkbox"/>	Management of municipal and industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended				
	<input type="checkbox"/>	Management of radioactive materials as defined and regulated by the New Hampshire Rules for the Control of Radiation, He-P 2000 and He-P 4000				

(2)	SOLID WASTE MANAGEMENT ACTIVITIES WHICH ARE PERMIT-EXEMPT, AS FOLLOWS:		
	<input type="checkbox"/>	Management of stumps by above-ground methods, not including composting, pursuant to Env-Sw 302.03(b)(6), as follows:	
	<input type="checkbox"/>	Temporary stockpiling until transfer off-site for further management	
	<input type="checkbox"/>	Chipping/shredding and use of resulting chips as fuel, mulch, animal bedding and/or composting bulking agent	
	<input type="checkbox"/>	Collection, storage and transfer of the following:	
	<input type="checkbox"/>	Solid waste collected from highway rights-of-way by a local or state highway agency (note: permit exemption applies only if the collection site is owned/operated by the highway agency); [Ref. Env-Sw 408.07]	
	<input type="checkbox"/>	Concrete, brick, other inert masonry debris or asphalt [Ref. Env-Sw 302.03(b)(9)]	
	<input type="checkbox"/>	Processed (i.e., market ready, baled/packaged) select recyclables; (note: permit exemption applies only to select recyclables (i.e., paper, cardboard, glass, plastic, metals, textiles) which are received in a market ready condition) [Ref. Env-Sw 408.04]	
	<input type="checkbox"/>	Open burning of clean wood, limited to brush and slash measuring ≤ 5 inches in diameter and clean, untreated wood with a cross-sectional area ≤ 24 square inches; (note: permit exemption applies only when a permit to stockpile the wood for burning is issued by the DES Air Resources Division and the district forest ranger/local fire authorities have issued a permit to kindle the wood, and when stockpiling conforms to Env-Sw 404.05); [Ref. Env-Sw 1108.05]	
	<input type="checkbox"/>	Collection and use of a processed select recyclable material to produce a waste-derived product certified pursuant to Env-Sw 1500; (Identify the type of processed select recyclable: _____ and the type of certified waste-derived product: _____); [Ref. Env-Sw 508.06]	
	<input type="checkbox"/>	Collection and use of a processed non-select recyclable material to produce a waste-derived product certified pursuant to Env-Sw 1503.04, Env-Sw 1503.05 or Env-Sw 1503.07; (Identify the type of processed non-select recyclable: _____ and the type of certified waste-derived product: _____) [Ref. Env-Sw 508.07]	
	<input type="checkbox"/>	Burial of animal carcasses pursuant to Env-Sw 810.07 or Env-Sw 810.08	
	<input type="checkbox"/>	Landspreading wood ash pursuant to Env-Sw 1704	
	<input type="checkbox"/>	Conducting bench scale research and development projects pursuant to Env-Sw 302.03(b)(7)	
	<input type="checkbox"/>	Management of boiler slag from the combustion of coal, pursuant to Env-Sw 302.03(b)(8)	
<input type="checkbox"/>	Burial of concrete, brick, other inert masonry debris or asphalt, as follows:		
<input type="checkbox"/>	At the waste generation site pursuant to Env-Sw 810.04		
<input type="checkbox"/>	From off-site locations pursuant to Env-Sw 302.03(b)(9)		
<input type="checkbox"/>	Collection, storage and processing of wooden pallets and crates into wood chips, pursuant to Env-Sw 302.03(b)(10)		
<input type="checkbox"/>	Management of a solid waste that has been formally declared by the generator, in accordance with Hazardous Waste Rule Env-Hw 502.01(c)(2), to be a hazardous waste, pursuant to Env-Sw 302.03(b)(5)		
<input type="checkbox"/>	Other (specify: _____ and provide rule cite: Env-Sw: _____)		
(3)	IDENTIFY ALL OTHER SOLID WASTE MANAGEMENT PERMITS ISSUED FOR THIS SITE:		
	PERMIT NUMBER	DATE ISSUED	FACILITY TYPE/ACTIVITY TYPE

SECTION VII. FACILITY SITING

The following siting restrictions shall apply to this facility. (If the proposed facility does not meet these criteria, a permit-by-notification cannot be issued. However, the facility may be eligible for a "standard permit" pursuant to Env-Sw 314. Contact the P&DRS at (603) 271-2925 to obtain the appropriate forms.)

SITE FEATURE (See also footnotes, shown in parentheses, as applicable)	MINIMUM ALLOWABLE SETBACK DISTANCE		ACTUAL SETBACK DISTANCE (Fill in this column to show compliance with the minimum allowable setback distances)
	PROPOSED FACILITIES & UNAUTHORIZED FACILITIES	EXISTING FACILITIES WITH EITHER TEMPORARY PERMIT OR WAIVER/PERMIT-BY-RULE	
Property lines	50 feet	Maintain existing setback, however, any future expansion of the facility shall be setback at least 50 feet.	
Area for which an easement or right-of-way is granted.	Not within, unless specifically allowed by the easement or right-of-way and the grant of the easement or right-of-way does not adversely affect the ability to meet all facility requirements.		
100-year flood hazard zone (1)	Not within	If within, protect all waste handling & storage areas from impact by flood, however, future expansion of the facility shall not occur within the 100-year flood zone.	
Wetlands and surface waters	Any dredging, filling or construction in or adjacent to wetlands or surface waters may require a permit from the DES Wetlands Bureau. If your facility is within 100 ft. of a surface water or wetland, you are advised to contact the Wetlands Bureau at (603) 271-2147 to obtain permitting information.		
Rivers designated under RSA 483 (2)	250 feet, measured from normal high water mark, provided that vegetation or other natural barrier is established to minimize visual impact.	Maintain existing setback, however, future expansion of the facility shall not occur within 250 feet of the normal high water mark and screening shall be provided to minimize visual impact.	
Shoreland protected under RSA 483-B (3)	250 feet, measured from the "reference line"; minimize visual impact using vegetation or other natural barrier.	Maintain existing setback, however, future expansion of the facility shall not occur within 250 feet of the "reference line" and screening shall be provided to minimize visual impact.	
Areas protected under RSA 482, as pertains to dams and flowage (4)	Not within	If within, assure that the facility is in compliance with RSA 482.	
Public water supply wells (5)	Not within the sanitary protective radius.		
Habitat for threatened or endangered species (6)	Not within	If within, no further impact or encroachment.	
Other waste management facilities (7)	Not within area which physically interferes with the proper operation and closure of the other facility.		
Is this facility sited on property that is subject to an on-going DES enforcement action? <input type="checkbox"/> YES <input type="checkbox"/> NO [Note: A proposed facility can not be sited on property that is subject to a DES enforcement action, unless the facility is approved by DES as part of the enforcement action and a copy of the approval is submitted with this application. If "YES", attach the approval and mark as "Attachment VII".]			

FOOTNOTES:

(1) To determine limits of the 100-year flood zone, refer to Federal Emergency Management Agency (FEMA) maps. Contact the Office of Emergency Management at (603) 271-2231 for assistance in locating maps.

(2) List of designated rivers may be obtained on the Internet at www.state.nh.us/des/riverpgm.htm or by requesting list from the DES-PIP office at (603) 271-2975.

(3) Contact the DES Shoreland Protection Coordinator at (603) 271-3503 for assistance in identifying protected areas, which include all public fresh water bodies listed in a DES publication titled "Official List of Public Waters in NH". The "reference line" is typically the high water mark, but may vary for some water bodies.

(4) A facility cannot be sited within the flood control area of a dam (land subject to flowage rights). If the facility is an existing facility and is located within the flood control area of a dam, you must contact the DES Water Division at (603) 271-3406 to assure compliance.

(5) If within 400 ft. of public water supply well, you are advised to contact the DES Water Supply Engineering Bureau at (603) 271-3503.

(6) For plant species, contact NH Natural Heritage Inventory at (603) 271-3623. For wildlife species, contact the Fish & Game Dept. at (603) 271-3017.

(7) Proposed facilities should be located at least 50 feet from the footprint of any existing landfill that is not yet capped, in order to assure adequate area for future capping and groundwater monitoring wells. In no case may a facility, whether existing or proposed, be located on top of, or within, any landfill.

SECTION VIII. FACILITY DESIGN PLANS & SPECIFICATIONS

Prepare facility design plans and specifications, according to the enumerated instructions below. Attach the plans and specifications to this application and mark as "ATTACHMENT VIII."

- (1) The location and design of the facility must meet all requirements specified in the following Solid Waste Rules. Read these requirements carefully and contact the P&DRS if there are questions particular to your facility.
 - ☐ Env-Sw 607.02
 - ☐ Env-Sw 1000
 - ☐ Env-Sw 1200
 - ☐ Env-Sw 603-Env-Sw 606, if operated longer than 90 days
 - ☐ Env-Sw 1100, if operated longer than 90 days
- (2) Show the location of the facility and the parcel of land upon which the facility is or will be located, including:
 - ☐ Property boundaries
 - ☐ Access points
 - ☐ Rights-of-way and/or easements
 - ☐ Areas or features protected or restricted by the applicable siting requirements (see Section VII)
- (3) If waste will be managed outside, or will be managed inside a building where there is the potential to discharge to the outside environment as by floor drains and the like, or if there will be new construction activities at the site, show all of the following:
 - ☐ Above-ground structures & utilities
 - ☐ Below-ground structures & utilities, including underground storage tanks; wells and waterlines; septic systems and sewer lines; and power communication, and fuel lines
 - ☐ Surface waters and wetlands
- (4) Show the facility and all related appurtenances, including:
 - ☐ Waste handling areas, including areas and devices designated for receipt of the waste; inspection of the waste; storage of the waste pending use; and waste composting
 - ☐ Storage areas and devices for finished compost
 - ☐ Storage areas and devices for residual waste, bypass waste and off-specification compost
 - ☐ Access control features, e.g., fences, gates, signs, natural barriers, etc.
 - ☐ Drainage swales and other drainage control features
- (5) Include the following information on each page of the plans and specifications:
 - ☐ Date of preparation
 - ☐ Facility name and location
 - ☐ For a facility currently holding a temporary permit or waiver, the permit or waiver number.
- (6) Delineate/dimension all relevant setback distances, as described in Section VII of this form.
- (7) Be certain that the plans and specifications are:
 - ☐ Clearly readable
 - ☐ Prepared in accordance with standard engineering practices, including dimensions, labels, details and other graphic elements
 - ☐ Stamped by a qualified professional engineer, when required by RSA 310-A
- (8) Unless other arrangements are approved in advance pursuant to Env-Sw 1103.05(f), the plans shall:
 - ☐ Be prepared at a scale of no less than 1 inch = 50 feet
 - ☐ Be presented on paper no larger than 24 inches by 36 inches
 - ☐ Show profiles drawn to standard scales with a ratio of 10 horizontal to 1 vertical, such as 40:4 and 50:5
 - ☐ Show elevations of the surface to the nearest 0.1 foot
 - ☐ Show elevations of the piping, sewer, and manhole inverts to the nearest 0.01 foot
 - ☐ Report all elevations in feet and tenths and reference all elevations to a standard datum, which shall be indicated on the plans, based on mean sea level
 - ☐ Show contours at a minimum interval of 2 feet on all plan views

SECTION X. OPERATING PLAN

For a facility having an active life of 90 days or less, skip this section.

For a facility having an active life longer than 90 days, you must prepare an Operating Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) The facility Operating Plan must provide sufficient detail to allow the certified operator and other trained facility personnel to operate the facility in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Sw 607.02, Env-Sw 605, Env-Sw 1005, Env-Sw 1105, and Env-Sw 1204
- (2) The Operating Plan must be prepared as a loose leaf document so that it can be easily updated and amended as specified in Env-Sw 315.
- (3) Each page of the Operating Plan must bear the date of preparation or last revision, as applicable, and the facility name, location and permit number.
- (4) Prepare the Operating Plan according to the content and format requirements set forth in Env-Sw 1105.11.
- (5) Consider the following key points when developing your Operating Plan:
 - ☐ Incoming waste must be managed in accordance with Env-Sw 505.03
 - ☐ Waste must be inspected prior to acceptance to assure that the facility only receives authorized waste, as specified in Section IV, items (1) and (2) of this permit form
 - ☐ The facility must be operated in a manner which does not cause dust, noise, traffic or other safety problems
 - ☐ Access to the site must be controlled in a manner as to prevent unlawful dumping
 - ☐ The food waste portion of the compost mixture must be no more than 20% of the entire mixture by volume
 - ☐ Food waste must not be left uncovered at the facility for more than 2 hours
 - ☐ Food waste must be stored at the facility no longer than 24 hours before being incorporated into working compost
 - ☐ If food waste is not incorporated into working compost within 2 hours of receipt, it must be stored in a closed container which controls the dispersal of odors and prevents the attraction of birds, insects, rodents and other vectors
 - ☐ Access to windrows by compost turning equipment must be maintained on a year round basis, including during periods of snowmelt, spring thaw, and high precipitation
 - ☐ Supplies of water and pumping capabilities must be available at the facility and used to keep the compost moist
 - ☐ If manure is a primary constituent of the compost, sufficient quantities of an approved bulking agent must be incorporated at all times to assure that the compost does not become waterlogged and to prevent the development of anaerobic conditions in the compost
 - ☐ Compost windrows must be turned sufficiently often to maintain aerobic conditions at all times throughout each windrow
 - ☐ Prior to distribution and use, the compost must be matured and stabilized to a condition which does not cause it to re-heat when piled
 - ☐ Prior to distribution and use, the finished compost must be determined and certified by the permittee to meet the specifications of either
 - ☐ Class AA compost, if no sludge has been incorporated and the compost otherwise meets the definition of a Class AA compost as specified in Env-Sw 102.32; or
 - ☐ Class A compost, if sludge has been incorporated and, based on the testing results obtained pursuant to a permit issued for the facility under RSA 485-A and Env-Ws 800, the compost meets the Class A standards specified in Env-Sw 605.05
- (6) Always keep your Operating Plan up-to-date

SECTION XI. CLOSURE PLAN

For a facility having an active life of 90 days or less, skip this section.

For facilities having an active life longer than 90 days, you are required to prepare a Closure Plan, as specified by the enumerated instructions below. You are not required to submit the plan, but are required to make it available for use by facility operators and for inspection by DES upon request.

- (1) The facility Closure Plan must provide sufficient detail to allow a third party to implement and complete all required facility closure tasks in compliance with RSA 149-M, the permit and the Rules without further explanation or guidance. See Env-Sw 607.02, Env-Sw 606, Env-Sw 1006, Env-Sw 1106, and Env-Sw 1205
- (2) The Closure Plan must be prepared as a loose leaf document so that it can be easily updated and amended as specified in Env-Sw 315
- (3) Each page of the Closure Plan must bear the date of preparation or revision, as applicable, and the facility name and permit number
- (4) Prepare the Closure Plan according to the content and format requirements set forth in Env-Sw 1106.04
- (5) Consider the following key points when developing your Closure Plan:
 - ☐ Closure of the facility must be completed within 30 days of the date of last waste receipt or before the expiration date of the permit, whichever is earlier
 - ☐ Other events which may trigger closure are listed in Env-Sw 1006.01
 - ☐ To close the facility, you must remove all waste from the site to an authorized facility, including all residual waste, by-pass waste, off-specification compost and unfinished compost, and you must clean/restore the site per Env-Sw 1006.02
 - ☐ Following closure, you must certify to DES in writing that the facility has been closed as required, including certification that each of the following conditions are met
 - ☐ All waste, including bypass and residual waste, unfinished compost and off-specification compost, has been removed from the facility to an authorized facility for disposal or further management
 - ☐ All finished compost has been removed from the facility to locations that use or distribute the finished compost, or has been disposed at an authorized facility
 - ☐ The site has been cleaned pursuant to Env-Sw 1006.02
- (6) Always keep your Closure Plan up-to-date

SECTION XII. CERTIFICATION OF COMPLIANCE

A permit-by-notification shall not be issued to applicants unable to certify compliance with the following statements. If unable to certify that each of the following statements is true, you may instead apply for a "standard permit" pursuant to Env-Sw 314. Contact the P&DRS at (603) 271-2925 for additional information.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- ☐ the applicant
- ☐ the facility owner
- ☐ the facility operator
- ☐ all individuals and entities holding 10% or more of the applicant's debt or equity
- ☐ all of the applicant's officers, directors, and partners
- ☐ all individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought

(1)	No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application
(2)	No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application
(3)	No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application
(4)	No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application

(5)	All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either	
	(a)	All applicable environmental statutes, rules, and DES permit requirements or
	(b)	A DES approved schedule for achieving compliance therewith
(6)	All individuals and entities listed above are in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order to which DES is a party	
(7)	All individuals and entities listed above have paid, or are in compliance with the payment schedule for any administrative fine assessed by DES	
(8)	All individuals and entities listed above are in compliance with all terms and conditions under every administrative order, court order or settlement agreement relating to programs implemented by DES	

Signature of the applicant certifying the above statements are true:

Applicant Name (Print Clearly or Type)

Applicant Signature

Date

SECTION XIII. SIGNATURE REQUIREMENTS

All signatures on all copies filed with DES must be ORIGINAL signatures. Read each of the below statements carefully. These statements shall constitute terms and conditions of any permit issued. Note that the term "facility" as used below refers to operations covered by this permit. It does not refer to operations involving activities identified in Section VI of this form.

Applicant Signature:

The applicant(s) must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the applicant's ORIGINAL signature(s). If the applicant is not an individual, an individual duly authorized by the applicant shall sign the application.

(1)	The applicant/permittee owns the subject facility
(2)	The applicant/permittee shall be in responsible charge of facility construction, operation and closure
(3)	The applicant/permittee has read, understands and shall comply with all requirements for the siting, design, construction, operation and closure of this facility, as provided in Env-Sw 607.02, Env-Sw 1000, Env-Sw 1200 and, for a facility operating longer than 90 days, Env-Sw 603 through Env-Sw 606 and Env-Sw 1100
(4)	The applicant/permittee shall regularly inspect waste received by this facility and assure that the facility shall NOT accept any of the following:
	(a) Any type of waste not specified in Section IV, items (1) and (2) of this permit
	(b) Dairy products and their derivatives
	(c) Meat or meat byproducts
	(d) Non-food matter, such as plastic and paper bags/wrappings/ties or string
	(e) More than 30 tons of waste per day, averaged over the active life of the facility and on average annually
(5)	For a facility which is sited where other waste management activities are located, as identified in Section VI of this form, the applicant/permittee hereby certifies that the other activities shall not adversely affect the ability of this facility to operate in accordance with the requirements of this permit
(6)	For a facility having an active life longer than 90 days, at least 50% of the on-site personnel who are directly involved with the management of solid waste shall be operators who have been issued certification in accordance with Env-Sw 1600 and, for every 1 to 5 operators, there shall be at least one supervisor who is certified as a Level III or Level IV operator in accordance with Env-Sw 1600
(7)	For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Operating Plan which meets the requirements of Env-Sw 1105.11 and which, pursuant to Env-Sw 1202.02, shall be available for use by the facility operators and for inspection by DES
(8)	For a facility having an active life longer than 90 days, the applicant/permittee has prepared a facility Closure Plan which meets the requirements of Env-Sw 1106.04 and which, pursuant to Env-Sw 1202.02, shall be available for use by the facility operators and for inspection by DES
(9)	The applicant/permittee shall be financially responsible for closing the facility pursuant to the Rules
(10)	Facility closure shall be completed within 30 days of the date of last waste receipt or the expiration date of the permit, whichever is earlier

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| (11) | The applicant/permittee understands that any permit-by-notification issued to an existing facility shall not be construed in any way as an authorization of any activity which occurred prior to the effective date of the permit; or an authorization of any activity that does not comply with RSA 149-M, the Rules and the permit; or a waiver of any cause of action for violation(s) of RSA 149-M or the Rules |
| (12) | The applicant/permittee understands that DES may inspect this facility, including during construction, and that non-compliance with the terms and conditions of the permit may result in revocation or suspension of the permit, administrative fine, civil or criminal penalties, and/or administrative orders for corrective action |
| (13) | The applicant/permittee understands that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply |
| (14) | To the best of my knowledge and belief, the information and material submitted herewith is correct and complete |
| (15) | I certify that this application is submitted on a complete and accurate form, as provided by the DES, without alteration of the text |

_____ Name of Permit Applicant (Print Clearly or Type)	_____ Name of Co-Applicant (Print Clearly or Type)
_____ Signature of Permit Applicant	_____ Signature of Co-Applicant
_____ Date	_____ Date

Property Owner Signature If the applicant does not currently own the property where the subject facility will be sited, the property owner(s) must also sign this form as follows. All copies of the application filed with DES must bear the property owner's ORIGINAL signature(s). If the property owner(s) is not an individual, an individual duly authorized by the property owner shall sign the application.	
(1)	I hereby affirm that the applicant has or shall be granted the legal right to occupy and use the property on which the subject facility is or will be located for the purposes specified in this application.
(2)	I hereby agree to grant access to the property for closure and post-closure monitoring of the facility and site, as required by the New Hampshire Solid Waste Rules.

_____ Property Owner Name (Print Clearly or Type)	_____ Joint Owner Name (Print Clearly or Type)
_____ Property Owner Signature	_____ Joint Owner Signature
Property Owner Mailing Address: _____ _____ _____	Joint Owner Mailing Address: _____ _____ _____
_____ Date	_____ Date